



ELECTORAL OFFICE FOR NORTHERN IRELAND

EQUALITY IMPACT ASSESSMENT OF THE FUNCTION OF PREPARING AND MAINTAINING AN ACCURATE ELECTORAL REGISTER

FINAL REPORT

November 2005

AN EQUALITY IMPACT ASSESSMENT (EQIA) OF THE FUNCTION OF PREPARING AND MAINTAINING AN ACCURATE ELECTORAL REGISTER

What is the aim, objective or purpose of the function?

To maintain and publish a register, renewed annually, of all those who are required by law to register as electors in Northern Ireland. This embraces a renewal of the register by means of a canvass each autumn and continuous monthly revision during the period 1 December to 1 September the following year.

Who defined the policy?

Parliament.

Who implements the policy?

The Chief Electoral Officer for Northern Ireland through the Electoral Office, but note that while the CEO is responsible for implementation of the policy, it is Ministers through Parliament who formulate and legislate to determine electoral policy. If consultees believe that the Electoral Fraud (NI) Act 2002 is a breach of the fundamental human rights of the people of Northern Ireland that is a matter to be taken up with Her Majesty's Government.

What outcomes does Parliament want to achieve with this policy, and for whom?

A comprehensive and accurate electoral register, published according to the statutory timetable, on which, at any time, elections and referendums can be conducted.

The register is produced for Parliament, the electorate, those entitled to use the register for electoral purposes and those entitled to use the register for permitted non-electoral purposes.

Who are the main stakeholders in this policy?

Parliament, the electorate, political parties, the European Parliament, the Northern Ireland Assembly, Northern Ireland District Councils, candidates for elections and their agents, the Electoral Commission, the British Library, Northern Ireland Statistics and Research Agency, Parliamentary and Local Government Boundaries Commissioner, District Electoral Areas Commissioner, Police Service of Northern Ireland, Police Services in Great Britain, National Criminal Intelligence Service, credit reference agencies, Northern Ireland Government Departments and the Northern Ireland Office.

What outcomes would other stakeholders want from this policy?

An edited version of the register is available for purchase by the general public.

What factors/forces could contribute to or detract from the outcome?

Contribute to the outcome: campaigns to raise electoral awareness; effective training of electoral staff; effective management of the registration process; and access to the registration process.

Detract from the outcome: failure or inability of eligible persons to register; failure in some part of the process of registration; electoral fraud; and lack of access to the registration process.

The Electoral Office for Northern Ireland (EONI) has already conveyed to Ministers its view that the annual canvass is no longer an effective or efficient way to maintain the Electoral Register for Northern Ireland. There is evidence that the Register is falling year on year and will continue to do so unless specific action is taken to arrest the decline. While the level of registration is at risk, research by the Electoral Commission shows that there is a significant part of the eligible electorate which persistently remains unregistered.

As a result of having examined models for electoral registration employed in three major first world democracies, the EONI has concluded that there is a viable option for change which should halt the decline in the Register which will ensure an acceptable level of accuracy, reduce the cost of registration and encourage an increase in the size of the Register in future years, while still effectively preventing and detecting fraud and malpractice in absent voting.

The EONI has recommended to Northern Ireland Office Ministers the following:

- The legal requirement for an annual canvass should be removed.
- The final annual canvass should be carried out in autumn 2005.
- The Register published at 1 December 2005 should be as complete as possible by encouraging the Electoral Commission to undertake an extensive advertising campaign, emphasising the long-term nature of the new Register, and by conducting an extensive outreach programme along with the 2005 canvass.
- Using new legislation where necessary, automated data transfer arrangements should be put in place to provide the EONI with information about:
 - all domestic premises in Northern Ireland;
 - young people becoming eligible for registration;
 - people moving house; and
 - people changing their name;

held by Northern Ireland Housing Executive, Valuation and Lands Agency, Driver & Vehicle Licensing NI, Rates Collection Agency, District Councils, the new water authority, the Registrar General, the Social Security Agency, Inland Revenue, Customs and Excise, the UK Passport Service, the Court Service, the Stamp Office and education authorities.

- Using the information obtained from these sources, the EONI should extend and keep the Register up to date by contacting:

- a. all eligible and newly eligible electors who are not registered; and
 - b. all electors who have moved house or changed their name; using targeted mailing and, when necessary, doorstep visits, and
 - c. remove from the Register all deceased electors and those known to have left Northern Ireland or who fail to confirm their circumstances when requested by the EONI.
- The EONI should conduct regular awareness and publicity programmes in conjunction with the Electoral Commission.
 - Electors should be required to provide the three personal identifiers in line with current legislation.
 - The accuracy of the Register should be determined by statistical survey at intervals of three years after May 2005.
 - The electorate should be canvassed at the discretion of the CEO in consultation with the Secretary of State when the CEO is of the view that the Register has reached an unacceptable level of inaccuracy.

How does the Electoral Office interface and relate to other bodies in the implementation of this policy?

By canvassing the electorate. With the Electoral Commission with regard to voter education and publicity. With the NIO for policy and finance. With the Department of Work & Pensions for checking data. With the Valuation and Lands Agency, the Rates Collection Agency and with the Registrar for Births, Marriages and Deaths for provision of data. With the political parties to encourage participation. With the Royal Mail to provide a prompt postal service for returns and reminders. With the Boundary Commission for Northern Ireland, the Local Government Boundaries Commissioner and the District Electoral Areas Commissioner in the determination of electoral boundaries. With form designers, printers and distributors. With other agencies to assist identification of under-represented groups.

Are there any groups which might be expected to benefit from the intended outcomes but which do not?

The evidence from the Electoral Commission's update report prepared by Price Waterhouse Coopers statisticians indicates that:

- Young people are under-represented on the register.
- Deprivation may yet emerge as a factor in the registration process.
- The registration rate has fallen more sharply in urban areas than in other areas of Northern Ireland (see above for recommendations for improving the Register put to Ministers by the EONI)

While deprivation is not a section 75 category, the EONI recognises that the present registration process, as applied under the Electoral Fraud Act 2002, does not seem to be as effective in deprived areas of Northern Ireland as in other areas, and that

this might adversely affect Catholics more than Protestants. The EONI is discussing with the Electoral Commission how best to tackle this problem.

AVAILABLE DATA & RESEARCH AND ASSESSMENT OF IMPACTS

In assessing the impact of the function of preparing and maintaining an accurate electoral register on the nine section 75 groups, the Electoral Office for Northern Ireland (EONI) has made use of the following data and research:

Quantitative data – data gathered by the Electoral Commission, and Census data as published by the Northern Ireland Statistics and Research Agency (NISRA) on its website.

Qualitative data – Electoral Commission reports and surveys; comments on the registration function by Area Electoral Officers; input from EONI Headquarters staff; Mencap; ‘Destined’ group; RNIB; RNID; political parties; the media; political commentators; and individual politicians. The EONI has now also included an input from stakeholders as a result of the stakeholders’ consultation exercise.

In March 2005, based on the initial screening analysis and, in some cases, subsequent collection of data and research, the EONI has provisionally concluded that the equality impact of the function of preparing and maintaining an accurate electoral register on the nine section 75 groups was as follows:

1. **Religious Belief**

Defined as: Protestant; Catholic; Hindu; Jewish; Islam/Muslim; Sikh; Buddhist; other people of no religious belief.

The screening exercise, which drew mainly on the experiences of Area Electoral Officers, concluded that it was possible that there could be discrimination by electoral canvassers on the grounds of religious belief, i.e. failing to canvass households whose occupants held different religious beliefs from those of the canvasser.

The EONI concludes that the approach to the conduct of the annual canvass in preparing and maintaining the electoral register could have an adverse impact on some people on the grounds of their religious belief.

The EONI takes measures to mitigate the possible adverse impact by insisting on close supervision of the canvass by Area Electoral Officers, in consultation with local representative groups.

2. **Political Opinion**

Defined as: Unionists generally; Nationalists generally; members/supporters of any political party; other.

The screening exercise, which drew mainly on the experiences of Area Electoral Officers, concluded that it was possible that there could be discrimination by some electoral canvassers on the grounds of political opinion, i.e. failing to canvass electors who held different political opinions from those of the canvasser.

The EONI concludes that the approach to the conduct of the annual canvass in preparing and maintaining an electoral register could have an adverse, differential impact on some people because of their political opinion.

The EONI takes measures to mitigate the possible adverse impact by insisting on close supervision of the canvass by Area Electoral Officers, in consultation with local representative groups.

3. Racial/Ethnic Group

Defined as: Chinese; Irish Traveller; Indian; Pakistani; Bangladeshi; Asian Other; Black African; Black Caribbean; Black Other; White; Mixed Ethnic Group; Other Ethnic Group.

The screening exercise, which drew mainly on the experiences of Area Electoral Officers, has now been overtaken for this section 75 category because of the provisions of the Electoral Fraud Act 2002 which require individual registration. With the help of canvassers and close supervision by Area Electoral Officers it is unlikely that anyone would be unable to register on the grounds of their race or ethnic group.

The EONI, therefore, concludes that up until now this function has had no adverse, differential impact on people because of their race or ethnic group. However, given the disturbing increase in Northern Ireland in recent times of incidents of discrimination and intimidation against people because of their race or ethnic group, and because of the Electoral Commission's views that in Great Britain registration rates among racial/ethnic minority groups are perceived to be very low, the EONI will pay even closer attention than before to the canvassing of such groups in 2005.

4. Age

Defined as: people under 18; people between 18 and 65; people over 65.

Evidence from the Electoral Commission's update report prepared by Price Waterhouse Cooper (PWC) statisticians indicated that, inter alia, eligible young people in Northern Ireland are under-represented on the register.

The EONI included in the 2004 canvass, in conjunction with the Electoral Commission, outreach measures to improve the representation of more eligible young people on the register. The representation of eligible young people in the 2004 canvass has significantly increased, and the process will be repeated in the 2005 canvass.

5. Marital Status

Defined as: married people; unmarried people; divorced or separated people; widowed people.

The screening exercise could find no evidence that the function of preparing and maintaining the electoral register had any adverse, differential impact on people because of their marital status.

The EONI concludes that the function of preparing and maintaining the electoral register has no adverse, differential impact on people on the grounds of their marital status.

6. Sexual Orientation

Defined as: gay; lesbian; bisexual; heterosexual.

There are no quantitative data on electors by sexual orientation. In the screening exercise, the collective judgement of the Area Electoral Officers was that the function of preparing and maintaining the electoral register had no adverse, differential impact on people because of their sexual orientation.

The EONI concludes that the function does not have an adverse, differential impact on people because of their sexual orientation.

7. Men And Women Generally

Defined as: men including boys; women including girls; transgendered people; transsexual people.

As yet, there is no quantitative or qualitative data to indicate that the function of preparing and maintaining the electoral register has an adverse, differential impact on people because of their gender.

The EONI, therefore, concludes that the function does not have an adverse, differential impact on people because of their gender.

8. Disability

Defined as: People with a disability as defined in sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995.

The screening exercise, which drew mainly on the experiences of Area Electoral Officers, concluded that people with visual impairment and those with learning difficulties could have difficulty completing the registration form. There have also been representations from Mencap and the 'Destined' group and from individuals about the eligibility of electors with certain categories of learning difficulty to register to vote. The EONI is in touch with groups representing the disabled to ensure that those eligible to register can do so.

The EONI will ensure for the 2005 and subsequent canvasses that it liaises with groups representing the disabled prior to the canvass to make arrangements for those who need special assistance with registration to receive it, especially people with visual impairment and those with learning difficulties. However, there have been a few cases over the interpretation of electoral law on the degree of mental capacity required for eligibility to vote. These are dealt with on a case by case basis by the CEO. The CEO takes his decision on all the evidence presented including medical evidence where it is offered.

9. Dependency

Defined as: people with a primary responsibility for: a child; a person with a disability; a dependant elderly person.

There is no qualitative or quantitative evidence that the function of preparing and maintaining an electoral register has any adverse, differential impact on people because of their dependency responsibilities.

The EONI concludes that this function has no adverse, differential impact on people because of their responsibility for dependants.

OVERALL CONCLUSION FOR PUBLIC CONSULTATION IN MARCH 2005.

For a series of reasons, including some arising under section 75, the EONI has already conveyed to Ministers its view that the annual canvass is no longer an effective or efficient way to maintain the Electoral Register for Northern Ireland. It has made recommendations for an alternative system.

Although deprivation is not, at present, a section 75 category, the EONI recognises that research shows that a significant extent of under-representation on the Electoral Register for Northern Ireland is in mainly urban areas of greatest deprivation and that this might also mean under-representation of Catholics. The EONI is discussing with the Electoral Commission how best to tackle this problem of deprivation.

The under-representation on the register of eligible young electors is a fact established by the research arranged by the Electoral Commission. This is being tackled by the EONI and the Electoral Commission with an ongoing, active, combined programme of outreach aimed at young electors.

The controversy with some electors and representative groups over the mental capacity to vote of a number of electors with learning difficulties is addressed on an individual basis by the CEO examining the evidence available and explaining the law on this issue.

RESPONSE TO PUBLIC CONSULTATION

The closing date for responses to the consultation process was **Friday 20 May 2005**. There were seven substantive responses, as follows.

Sinn Fein

'Sinn Fein welcomes the opportunity to respond to the equality Impact Assessment (EQIA) prepared by the Electoral Office in respect of the annual electoral register.

We will not be responding in sequence to the questionnaire format presented in the EQIA but will be making general points to this consultation.

The Electoral Office is aware of Sinn Fein's consistent opposition to the Electoral Fraud Act 2002. The grounds put forward to justify the introduction of this Act were spurious and motivated by a desire to delimit a growing Sinn Fein mandate.

The adverse impact of this Act can be measured. Hundreds of thousands of eligible voters have lost their democratic right to vote. This fundamental right of democratic participation has, for a range of reasons, been denied them.

In our detailed stakeholder response to a previous EQIA in December 2004 we raised many areas of concern about the way the Electoral Office was conducting its consultations. This included a major concern that those being consulted were not being provided with the evidence upon which the EONI based its comments.

As a party representing the majority of nationalists in the North, we see no evidence in this EQIA to suggest that the EONI addressed the concerns we raised in December 2004. Many other stakeholders hold a similar opinion. We will expand upon this point in due course.

Effectiveness of annual registration.

Sinn Fein welcomes the EONI's conclusions that: *'the annual canvass is no longer an effective or efficient way to maintain the Electoral Register for Northern Ireland,'* and that: *'There is evidence that the Register is falling year on year and will continue to do so unless specific action is taken to arrest the decline.'*

Sinn Fein has consistently made the case that substantial numbers of the eligible voters were persistently remaining unregistered as a result of the new registration system. This has also been borne out by the Electoral Commission.

Sinn Fein also made a series of recommendations for changes in the electoral registration process. We request that the EONI provides us with the recommendations you have forwarded to the British Government. These in our view, should be in the public domain for consultation and public debate.

Sinn Fein believes that the approach to achieving a comprehensive and accurate register lies in a process of continuing rolling registration with a continuous rolling register.

Screening exercise findings

Your screening exercise has drawn you to conclude *'that the approach to the conduct of the annual canvass in preparing and maintaining the electoral register could have an adverse impact on some people on the grounds of their religious belief i.e. failing to canvass households whose occupants held different religious beliefs from those of the canvasser.'*

On political opinion it concludes that *'it was possible that there could be discrimination by some electoral canvassers on the grounds of political opinion, i.e. failing to canvass electors who held different political opinions from that of the canvasser.'*

In addition, evidence from the Electoral Commission's update report prepared by Price Waterhouse Cooper's statisticians indicates that:

- Young people are under-represented on the register
- Deprivation may yet emerge as a factor in the registration process
- Registration has fallen more sharply in urban areas than in other areas.

On the matter of deprivation, Sinn Fein welcomes the fact that the EONI has recognised that the present registration process *'does not seem to be as effective in*

deprived areas of Northern Ireland as in other areas, and that this might adversely affect Catholics more than Protestants.'

In our own experience of dealing with the registration process the above factors have been borne out by hard evidence on the ground and as reflected in the significant numbers of people not on the register in nationalist neighbourhoods.

Given these findings Sinn Fein is concerned that the EONI has failed to clearly demonstrate that its own processes and functions are sufficiently robust to secure a '*comprehensive and accurate electoral register.*' There is only a reference to putting in place further supervision of canvassers at Electoral Area level which is, in our view, the least required action available to the EONI given the actual and potential adverse implications involved.

EONI needs to demonstrate its commitment, contained in its Equality Scheme, to *meaningful consultation* with stakeholders. It must do so by making all research and evidence available to its stakeholders.

We wish to know what action the EONI intends to take – as an employer with Fair Employment responsibilities and section 75 responsibilities – to ensure that the potentially discriminating practices/attitudes of some of its employees (canvassers) are being comprehensively addressed. Has the EONI for instance been working with the Equality Commission to ensure that proper anti-discrimination training and monitoring is in place with all its canvassers? Does the EONI intend to develop more appropriate, local partnership approaches to ensure that canvassing is conducted with all equality safeguards in place?

We believe that the EONI is not taking the situation regarding discrimination by some canvassers seriously if all it intends to do is 'supervise' canvassers more closely. Discrimination on religious and political grounds was at the heart of the causes of the conflict. Equality concepts, principles and measures have been put in place both in legislation and as a result of the Good Friday Agreement. These need to be incorporated into the registration process and into the EONI itself.

Discrimination has to be tackled wherever and whenever it presents itself. As the employer, supervision would in our view represent the most minimal of action, particularly in considering the adverse impact and outcome involved.

Next steps?

We note that the Electoral Commission has raised the prospect of abandoning the annual registration. However the British Government has not endorsed changes to the electoral registration process. The next annual canvass is due to commence in the Autumn. Pending potential overall change to the way the register is produced we wish to be appraised of what operational changes the EONI intends to put in place to get its own house in order to remove the barriers to participation in the registration process identified in the screening exercise. For example, outside the issues of political and religious grounds, what is the EONI intending to do to address the under-representation on the register of young people in general and young people from deprived communities as identified in the screening process?

What measures will the EONI take in its own behalf – and in partnership with others – to ensure that the disabled are not disenfranchised due to polling stations not being access friendly? We are also concerned at the approach being adopted by the CEO

in assessing the degree of mental capacity required for eligibility to vote. We believe the Chief Electoral Officer is stepping outside his remit and competency on this issue, resulting in highly subjective decisions being made which has led to disenfranchisement and indeed marginalisation of those individuals affected. It is unacceptable that no evidence based rationale for continuing to adopt the same approach is provided in this EQIA.

Implementation of the policy

The Chief Electoral Officer through the Electoral Office has overall responsibility for the implementation of the policies arising from the Electoral Fraud (NI) Act 2002. The intent of the Act stated in the EQIA Page 2, is to achieve '*a comprehensive and accurate electoral register*'.

Clearly the intended outcome has not been achieved.

The policy, and the implementation of the policy, has therefore failed to achieve its stated outcome.

As the implementing body responsible we are concerned that nowhere in this document does the EONI address whether it has satisfied itself that the policy it is implementing on behalf of the British Parliament does, in any way, breach electors' fundamental human rights. Indeed we note from your list of consultees that you have not consulted with the Human Rights Commission.

Human Rights obligations

We take issue with the EONI's dismissive tone which directs consultees to take up human rights considerations with the Ministers who introduced the Act. Representations have already been strongly made to British Ministers by many concerned and representative organisations and groups. The EONI cannot avoid or be dismissive of its own responsibilities to the electorate on this matter. It has a statutory responsibility to explain what efforts it has made – as the implementation body for the Act – to assure itself that it is implementing a policy in line with international human rights and equality standards.

Given that in the course of the screening for the EQIA it has emerged that some canvassers have probably been engaged in discrimination on religious and political grounds it is not unreasonable to expect to know what measures the EONI has taken or intends to take to ensure that the EONI complies with section 75 and with international anti-discrimination standards to the maximum.

Adverse impact

We acknowledge and welcome the fact that the EONI has made representations to British Ministers to the effect that the annual canvass to register the potential electorate '*is no longer an effective or efficient way to maintain the Electoral Register.*' This has been Sinn Fein's consistent position. We wish to know what those recommendations are as they were not published in this EQIA. Furthermore, is it the intention of the Electoral Office and the NIO to engage in consultation with all the stakeholders on these recommendations?

Regarding your finding on Page 4 that '*the approach to the conduct of the annual canvass in preparing and maintaining the electoral register could have an adverse impact on some people on the grounds of their religious belief*' Sinn Fein wishes to know the detail behind what this means in real terms i.e. to what degree/proportion of

the electorate was adversely affected and what is the breakdown in terms of community background?

Regarding your similar finding on Page 5 relating to Political Opinion, we again want to know the community background of those potentially adversely affected by the approach of canvassers in the EONI's employment.

Regarding the Racial/Ethnic groups we believe the EONI is making assumptions on Page 5 '*that it is unlikely that anyone would be unable to register on the grounds of their race or ethnic group.*' Representative groups have consistently identified in various other consultations that there are particular barriers to participation for ethnic groups. Language and communication issues are only two of these barriers. Prejudice is a key barrier. We are not convinced, given the finding of the EQIA in relation to religious belief/political opinion that the EONI's assumptions can be accepted as accurate at this juncture. We wish to know what outreach has been engaged in between the EONI and those groups/organisations representing ethnic minorities in our society in relation to overcoming such barriers and what additional efforts the EONI intends to make to communicate any new recommendations around the electoral register to this section of our society.

Regarding age, Sinn Fein agrees with the EONI, Page 3, that young people are under-represented on the register and we would expect in any future recommendations emanating from the EONI that a particular emphasis will be placed on communication with young people in the lead up to elections in future.

We would encourage the EONI to pay particular attention to the utilisation of community groups and other stakeholders in communities who have the local knowledge and partnerships in place to engage with young people in schools and in their community context as good practice models to encourage young people to register.

We would ask the EONI to provide a *community breakdown* of the extent to which eligible young voters were not registered since the Act was introduced.

We note and welcome the EONI's assessment that deprivation '*may yet emerge as a factor in the registration process.*' It is our contention that there are clear linkages between deprivation and people's level of participation and engagement with all kinds of governance issues, electoral participation and barriers to participation being just one aspect of that.

Deprivation therefore should be strongly considered as a section 75 category in its own right in order to break down the range of barriers faced by significant sections of our society.

In conclusion, Sinn Fein would ask the EONI to provide us with a response to the issues we have now raised consistently in consultation responses to EQIAs and to provide us with the recommendations it is making for future changes to the way the electoral register is prepared.'

The Electoral Office's reply to Sinn Fein's comments

'Thank you for your response to the draft report by the Electoral Office on an Equality Impact Assessment (EQIA) of the function of preparing and maintaining an accurate electoral register in Northern Ireland.

Discrimination

Sinn Fein's response to the comments in the draft report that the screening exercise on the impact of the canvassing process on people of different religious belief or political opinion had concluded that that it was possible that there could be discrimination by canvassers, is to assume, therefore, that discrimination has taken place. There is, in fact, no evidence that such discrimination has taken place. Because the EONI recognises that such a risk does exist, it ensures that training for canvassers includes equality awareness training. Furthermore, the rules and procedures for the process of canvassing eliminate the possibility of discrimination by canvassers. These safeguards are closely supervised by Area Electoral Officers, in consultation with local representative groups.

On the possibility of under-representation on the electoral register of minority ethnic groups, the Electoral Commission has commissioned research into the attitudes and behaviour of minority ethnic communities in Northern Ireland in relation to participating in the democratic process generally and with specific regard to registering for, and voting at elections. The research will be published later this year (2005) and it is hoped that the findings will assist the Electoral Commission and the NIO to work together in order to improve registration levels among black and other minority ethnic groups in Northern Ireland.

Recommendations by the Chief Electoral Officer to NIO Ministers to improve the electoral registration process.

Sinn Fein in its response to the draft report, demands that the EONI should publicise the recommendations made by the Chief Electoral Officer to NIO Ministers regarding changes to improve the registration process. In fact those recommendations are set out explicitly on pages 3 and 4 of the draft report. In a further development since the publication of the draft report, NIO Ministers are currently considering draft legislation based on the Chief Electoral Officer's recommendations which they will subsequently publish for consultation with the Northern Ireland political parties. *(After note: the Government's proposals have now been published.)*

Continuous Rolling Registration

The Electoral Office notes Sinn Fein's preference for continuous rolling registration as the means of achieving a comprehensive and accurate electoral register. No doubt, Sinn Fein will be able to put forward the arguments for this preference when NIO Ministers consult with the political parties on draft legislation to improve the registration process in Northern Ireland.

Under-representation of young people on the electoral register

In the preparation for the 2004 canvass the EONI put in hand the following outreach measures to encourage young people to register:

- All post-primary schools with pupils in years 13 and 14 were sent canvass forms for each pupil to complete. Contact was made with the Principal, Heads of Year 13 and 14 and Careers staff.
- All Further Education Colleges were sent blank canvass forms to cover both full-time and part-time students. These were to be distributed through the Principal and the Head of Careers, not only on the main site but also on each individual campus.
- Young Farmers Clubs of Northern Ireland agreed to send forms to each of its senior clubs (i.e. those with members aged over 14 years).
- The EONI participated with the NUS and the Electoral Commission in visits to all FE colleges and university campuses in the Province. As part of this 'road show' students were able to complete a registration form and apply to have an electoral ID card. The ID mobile photographic units were also in attendance.
- At the Ideal Home Exhibition in Belfast in September 2004 a similar Registration/ID joint venture with the Commission reached many thousands of visitors.
- The Electoral Commission had a stand at a Christian youth event ('Summer madness') in July 2004. Consequently, in early September the EONI sent a registration form to all the young people whose names had been forwarded as being interested in registering to vote.
- MENCAP agreed to send out registration forms through their support group network.

The organisations and groups detailed below were sent registration revision forms (i.e. 'rolling registration' forms) as they can be used at any time and it is more convenient, and less confusing, for such external bodies to be given only one version of the registration form. It also avoided the EONI having to reject out-of-date canvass forms.

- All 26 District Councils were sent forms during the first week in September and they were asked to place these forms, with appropriate notices, in all Council offices, recreation centres, community centres and youth clubs under their control.
- Citizens Advice Bureau was sent forms for all their local offices.
- The Education and Library Boards agreed to distribute forms through their library network.
- The NI Housing Executive – in all District offices.
- Job Centres.
- Benefit Offices.

The outcome of this comprehensive outreach programme was illustrated by the fact that those young people registering for the first time increased by almost 100% compared with the 2003 canvass.

For the 2005 canvass the EONI intends to use the same outreach measures to encourage young people to register.

Outreach to Minority ethnic groups and other under-represented groups in the 2005 canvass

Meetings to plan further strategies for outreach and methods of working together with the EONI have been held with:

- The Chinese Welfare Association

- **The National union of Students**
- **RNIB**
- **NICVA**

Contact with NICVA led to the EONI writing to over a hundred umbrella groups registered with NICVA, mostly support groups for racial or ethnic minorities, young people or disadvantaged people. These groups were informed of the availability of application forms for 'rolling registration' in job centres, benefit offices, libraries, recreation centres and Council offices or from the Electoral Office website.

Human Rights obligations

The EONI does not have a **statutory** responsibility to explain what efforts it has made to assure itself that it is implementing a policy in line with international human rights and equality standards. The EONI has a statutory duty to implement electoral legislation such as the Electoral Fraud Act 2002 which has been approved by both Houses of Parliament through the full legislative process and was not deemed in either House to be in breach of the Human Rights Act.'

RNIB Northern Ireland

'Thank you for sending us a copy of the draft Equality Impact assessment.

We are pleased to note, in Section 8:

"The screening exercise, which drew mainly on the experience of Area Electoral Officers, concluded that people with visual impairment.... could have difficulty completing the registration form."

And

"The EONI will ensure for the 2005 and subsequent canvasses that it liaises with groups representing the disabled prior to the canvass to make arrangements for those who need special assistance with registration to receive it, especially people with visual impairment and those with learning difficulties."

We share your concern that all eligible voters with a visual impairment should have every opportunity to register. We therefore look forward to discussing these issues with you as the 2005 canvass approaches. We should like to do so both in our capacity as a producer of accessible formats, and also as a potential source of information and advice.'

The Electoral Office's response to RNIB's comments

After a meeting with David Mann, Campaigns Officer for the RNIB, the EONI agreed to the following proposed wording for ACCESS (the quarterly RNIB newsletter):

'On 31 May 2005, staff from the Electoral Office for NI met with David Mann, Campaigns Officer for the RNIB. This was part of the consultation process on the Equality Impact Assessment currently being carried out by the Electoral Office on the function of preparing and maintaining an accurate electoral

register. The aim of the meeting was to ensure that all persons with visual impairment have access to the electoral process. The current registration application forms are available in accessible formats and, using the RNIB transcription service, in future all electoral forms and guidance notes will be available in these formats. The Electoral Office also intends to review and update the registration and ID application forms to state that copies are available in audio, Braille and large print.

The Electoral Office is currently planning for the canvass in autumn 2005 where registration forms will be posted to every current elector and household in Northern Ireland. A canvasser or Area Electoral Officer can provide assistance, on request, on completing the registration forms. The edited electoral register is available for sale to any person or organisation for any purpose and is available on CD-ROM. For further information and assistance please contact the Electoral Office on 90446688 or visit our website www.electorlofficeni.gov.uk.

The Electoral Commission

‘Thank you for inviting the Electoral Commission to comment on the above equality Impact Assessment. The Electoral Commission’s comments are set out below.

1. Issue of deprivation

It is stated in the draft report that EONI is discussing the issue of deprivation with the Electoral Commission. The Electoral Commission would welcome clarification on the issues EONI would wish to discuss.

2. Religious Belief

The Electoral Commission believes that the screening exercise in relation to religious belief should draw from a wider base than the experiences of Area Electoral Officers. Local representative groups should also be included in the screening process.

3. Racial/Ethnic Group

The Electoral Commission has commissioned research into the attitudes and behaviour of members of minority ethnic communities in Northern Ireland to participating in the democratic process generally and with specific regard to registering for, and voting at elections. We understand that the researchers consulted EONI in relation to the research.

The research will be published later this year and we hope that the findings will assist the Electoral Commission and the EONI to work together in order to improve registration levels amongst black and minority ethnic groups in Northern Ireland.

4. Age

It continues to be of concern to the Electoral Commission that non-registration rates for young people aged 18-24 are over twice the Northern Ireland average. The Commission believes it is essential to improve registration procedures and increase levels of participation.

The Electoral Commission has commissioned further research into the disengagement of young people from the political process. The findings of this research are expected to be available for dissemination in September 2005.

5. Disability

The Electoral Commission believes that the screening exercise in relation to disability should draw from a wider base than the experiences of Area Electoral Officers. Local disability groups should also be included in the screening process.

The Electoral Commission has written to the Review of Mental Health and Learning Disability regarding its concerns with the current procedure for determining the inclusion/exclusion of people with a mental incapacity on the register. A copy of this letter was provided to EONI in February 2005.'

The Electoral Office's response to the Electoral Commission's comments

'You asked for clarification on the issues of deprivation that the EONI would wish to discuss with the Electoral Commission.

In the Electoral Commission's report on the Electoral Fraud Act 2002, the Commission stated that there was "a correlation between socio-economic classification and registration" with those in social groups D, E less likely to be registered than their counterparts in social groups A, B, C1. Staff from the Electoral Office and from the Electoral Commission hold regular meetings to discuss the work of both organisations. One of the aims of such close co-operation is to maximise the impact of all outreach activities in order to increase voter registration levels, especially where there is perceived to be under-representation as in deprived social groups D, E.

Religious Belief

The EONI did not consult local representative groups (i.e. Churches of all faiths) because it was confident that the equality awareness training provided for canvassers plus the rules and procedures by which canvassers operate and the close supervision of the canvass by Area Electoral Officers eliminated the possibility of discrimination by canvassers against electors on the grounds of religious belief. There is no evidence that there has been any discrimination on the grounds of religious belief in the process of electoral registration.

Racial/Ethnic Group

The EONI notes the research commissioned by the Electoral Commission into the attitudes and behaviour of members of minority ethnic communities in Northern Ireland with regard to registering for, and voting in elections, and looks forward to publication of this research and subsequently working with the Electoral Commission in order to improve registration levels among black and other minority ethnic groups in Northern Ireland.

Since 2004, progress has been made by the EONI in meeting the needs of minority ethnic groups, e.g. registration forms and guidance notes have been translated into Cantonese and Portuguese; and canvasser "flash cards" into Polish and some of the languages of the Baltic states. Contact has been established with Scope, a support group for citizens of other EU states.

Age

The EONI agrees with the Electoral Commission that it is essential to improve registration procedures and increase levels of participation. NIO Ministers are considering the Chief Electoral Officer's recommendations for improving the registration process (see pages 3 and 4 of the draft EQIA report) and look forward to the publication of draft legislation for consultation. The Electoral Office also looks forward to the publication of the findings of further research commissioned by the Electoral Commission into the disengagement of young people from the political process.

Disability

The Electoral Office has undertaken to liaise with local disabled groups prior to the 2005 canvass to ensure that those who, through their disability, need special assistance with individual registration, receive it, especially people with visual impairment and those with learning difficulties.

The Electoral Office looks forward to learning of the outcome of the approach by the Electoral Commission to the Review of Mental Health and Learning Disability regarding its concerns with the current procedure for determining the inclusion/exclusion on the register of people with mental incapacity.'

Banbridge District Council

'I refer to your letter dated 10 March 2005 which was tabled at a recent Council Meeting.

At the meeting Councillors expressed concern that some residents do not return electoral registration forms. It was suggested that the heads of nursing homes should be more vigilant in encouraging residents to complete and return the forms.

Councillors were also of the opinion that the former system where all names of those eligible to vote in a particular household were included in one form worked much better and should be investigated.

I trust you will take these comments into consideration.'

The Electoral Office's response to Banbridge District Council's comments

'Nursing Homes

The Electoral Office notes the concern of the Council that some residents of nursing homes do not return electoral registration forms. The Electoral Office will ensure that for the 2005 canvass, Area Electoral Officers will continue to liaise closely with heads of nursing homes in their area to improve the numbers of residents registering.

Household Forms

The Electoral Office notes the preference by the Council for the use of the household registration form, but the Electoral Fraud Act 2002 requires individual registration in order to protect the human rights of the individual elector and to improve the accuracy of the register.'

Disability Action

'Disability Action believes that the contact details should include a textphone number to enable deaf people the same access as those who are hearing.

Disability Action welcomes the Electoral Office for Northern Ireland's statement on the importance of consultation. However Disability Action is dismayed that this document has not been offered in a range of alternative formats. Disability Action strongly recommends that a statement offering a range of accessible formats should be placed at the beginning of the main consultation document and in any future documents for ease of reference.

Disability Action wishes to know if the edited version of the Electoral Register is available in a range of accessible formats. (Page 2)

Regarding qualitative data Disability Action requires information as to the form and content of input from the voluntary/community groups listed. (Page 5)

Disability Action is dissatisfied by the EONI's vague aspirational statement that it will ensure that in the 2005 and subsequent canvasses it will liaise with the representatives of people with disabilities. Disability Action requires specific actions, methods, targets, timeframe and expected outcomes to enable informed comment to be made. Disability Action believes that any consultation must include the active participation of disabled people. (Page 8)

Disability Action is concerned that the EONI does not state that it will input a system to monitor this policy nor that it will revise the policy if monitoring/evaluation shows greater adverse impact than predicted as stated in the ECNI's Guide to Statutory Duties.

Disability Action considers that the key elements outlined in the Guide to Statutory Duties regarding Equality Impact Assessment have not been adequately addressed by the EONI in this instance. Steps 1-4 of the Guidelines clearly state that Public Authorities should assess and develop data and research (both quantitative and qualitative), assess the impact, consider measures to mitigate alternative policies and then draft an Equality Impact Assessment around which consultation takes place. Disability Action believes that the EONI has not provided any evidence to substantiate if an adverse impact exists or not. Clearly the strategy has the potential to have an adverse impact on people with disabilities.

Disability Action recognises the time and effort that has gone into producing this document for consultation and thanks the EONI for the opportunity to respond.'

The Electoral Office's responses to Disability Action's comments

'Thank you for your helpful comments on our draft report. Our responses to the points that you raise are as follows:

- We agree that the EONI's contact details should include a textphone number, and action is in hand to provide that.
- We agree that the consultation document should have been offered in a range of alternative formats. This was an oversight for which we apologise. This will be included in any future documents issued for public consultation.
- The edited version of the Electoral Register which contains some 400,000 names of electors, is available on CD-ROM and thus adaptable to the specific needs of disabled people through personal computers.
- The qualitative data provided by MENCAP, "Destined" group and RNIB was as follows:
 1. Notes of a meeting with Dr P McKeown of MENCAP on the problems of persons with learning disabilities when registering to vote and when casting their vote.
 2. Correspondence with Bridget McGoldrick, Secretary of Destined Ltd, on the voting rights of persons suffering from a mental incapacity such as Down's Syndrome.
 3. Meeting and correspondence with David Mann, Campaigns Officer of RNIB Northern Ireland, to ensure that all persons with visual impairment have access to the electoral process.
- The draft EONI action plan for liaising with representatives of people with disabilities during the 2005 canvass will require Area Electoral Officers to make contact initially in early September with local people from the main representative groups in their Electoral Area i.e. MENCAP, Disability Action, RNIB, RNID, "Destined", and Help the Aged to identify those disabled people in the Electoral Area who will require assistance to register. This approach will mean that disabled people will be actively involved in the registration process. An end of canvass evaluation will be used to determine the effectiveness of this methodology. The desired outcome should be that no disabled person in Northern Ireland who is entitled to vote and who wishes to vote is omitted from the 2005 Electoral Register.
- Disability Action states that the EONI does not state that it will input a system to monitor this policy nor that it will revise the policy if monitoring shows a greater adverse impact than predicted. This EQIA is only at Step 4, the consultation phase. Monitoring arrangements are at Step 7. Because of the relatively small size of the Electoral Office the approach to monitoring which has been agreed with the Equality Commission for two other policies is to programme into the Equality Scheme timetable for three years ahead a monitoring EQIA on this function. This addition to the timetable will be publicly announced on the completion of the EQIA and published in the Annual Progress Report for 2005-06.

Extern

'.....Extern's view

Extern works with socially excluded children, adults and communities. Most of our young people are well below the age of being put on the register, but they would all

need civics education at 15/16/17. Many of our adults are homeless/within the probation/prison area – our concern would be that they are disfranchised a) because they have no permanent address b) because of the 3 month residency provision and c) because many of them are ex-offenders and there would be a lack of knowledge about whether they were able to go on the register or not. Our community work is at a level where it would be inappropriate for us to get involved in electoral registration.’

The Electoral Office’s response to Extern’s comments

‘Thank you for your helpful letter of 11 May 2005 commenting on the draft EONI report on an EQIA of the Function of Preparing and Maintaining an accurate Electoral Register.

Your comments have been noted, against the background that Extern’s community work is at a level where it would be inappropriate for you to get involved in electoral registration. Nevertheless, your valuable comments and suggestions for improving the canvassing process will be discussed by the EONI’s Senior Management Team. You should also be aware that NIO Ministers are actively considering draft electoral legislation for subsequent consultation with the Northern Ireland political parties which includes many of the recommendations for improving the Electoral Register made to Ministers by the Chief Electoral Officer and described in the draft EQIA report.

The National Criminal Intelligence Service (NCIS)

‘Thank you for sight of the draft EQIA report and the opportunity to make comments on the draft proposals.

We have no substantive comments to make but would urge that whilst every effort is made for the people of Northern Ireland to register, that the details contained in the register are not made available for commercial purposes. I understand this to be the case under the proposals, but urge that this is considered as a significant issue for staff in some organisations.’

The Electoral Office’s response to NCIS’s comments

‘Thank you for your response to the Electoral Office’s draft report on an EQIA of the Function of Preparing and Maintaining an accurate Electoral Register.

I confirm that electors can opt to have their details excluded from the edited edition of the Electoral Register which is available for public purchase.’

CONCLUSION OF FINAL EQIA REPORT

Drawing on the initial screening exercise and on responses to the consultation on this EQIA of the Function of Preparing and Maintaining an accurate Electoral Register in Northern Ireland, the Electoral Office concludes that the function does not directly discriminate against any of the section 75 categories in the electorate.

However, there is evidence that, prior to the current 2005 canvass, young people were under-represented on the register and possibly members of ethnic minority

groups (subject to further research commissioned by the Electoral Commission). There was also a question of access to the registration process by some categories of disabled people.

Although deprivation is not a section 75 category, the evidence from other research commissioned by the Electoral Commission shows that under-representation on the register by electors generally is most prevalent in deprived areas in Northern Ireland, especially urban, deprived areas.

The Electoral Office's replies to comments by consultees list the measures that the Electoral Office has taken and is taking (such as outreach to the young and minority ethnic groups and liaison with local groups representing the disabled) to improve both the accuracy and comprehensiveness of the Register. The new legislation proposed by NIO Ministers based on the recommendations of the Chief Electoral Officer (pages 3 and 4 of this report) will greatly improve the registration process both for accuracy and comprehensiveness.

The effectiveness of the new legislation and the other measures undertaken by the Electoral Office and the Electoral Commission will be tested by a monitoring EQIA of the Function of Preparing and Maintaining an accurate Electoral Register to be carried out in the year 1 April 2008-31 March 2009.

ELECTORAL OFFICE FOR NORTHERN IRELAND

November 2005